

# COMMITTEE ON EDUCATION (K-12)

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 [E] Emergency Clause  
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**HB 2039 – Chapter 109 – school accountability; school achievement profiles**

Requires the Arizona Department of Education (ADE) to provide a single achievement profile to schools that offer instruction in grades K-12, or a combination of the grades, and requires the State Board of Education to define the size of an extremely small school that must receive a parallel achievement profile from the ADE.

**HB 2041 – Chapter 6 – charter schools; fingerprinting; civil penalty**

Establishes a sponsor-imposed civil penalty of \$1,000 for charter schools failing to comply with specified statutory fingerprinting requirements. Civil penalties assessed for fingerprinting noncompliance must be collected by the sponsor by requesting the Arizona Department of Education to reduce the amount of state aid due to the charter school in an amount equivalent to the civil penalty. Penalties collected revert to the state General Fund at the end of the fiscal year.

**HB 2045 – Chapter 62 – school safety oversight committee; continuation**

Continues the School Safety Program Oversight Committee and its associated statutory sections until July 1, 2017.

**HB 2183 – Chapter 11 – school districts; accounts; direct deposit**

Allows school district governing boards to establish a bank account for the purpose of making payroll deposits payments to school district employees and provides that the account must be a clearing account that maintains a zero balance, accumulates interest only and is funded by the school district for warrants requested from the county school superintendent and drawn by the county treasurer.

**HB 2184 – Chapter 68 – schools; special education; definitions**

Adds a definition of *ward of the state*, amends four definitions in the statutes relating to the education of exceptional children and specifies that a child classified as a child with a disability must not be reclassified unless the child is re-evaluated and no longer meets the definition of a child with a disability.

**HB 2202 – Chapter 184 – schools; adult education fees**

Allows the Division of Adult Education to review, approve and monitor a fee structure that considers an individual's ability to pay, that includes a sliding scale fee schedule, based on household income to be assessed to individuals participating in the adult education program implemented by adult education providers to ensure the fee structures meet state and federal law. Any fees collected must only be used to support and expand adult education instruction and must not supplant existing state and federal funding.

**HB 2251 – Chapter 201 – \*special education; school year**

Provides that individuals receiving special education services from school districts or the county school superintendent at the time the individual reaches age 22 must continue to receive the services until the end of the school year.

**HB 2305 – Chapter 234 [E] – \*school districts; budget; miscalculations; receivership**

An emergency measure that allows school districts that miscalculated or overexpended specified budgets to retroactively correct these errors over a specified period if certain conditions are met, with accrued interest paid at a rate determined by the Superintendent of Public Instruction. For school districts that utilize specified overexpenditure corrections provisions, the State Board of Education is required to immediately place the school districts into receivership. Establishes the 10 member Joint Legislative Study Committee on K-12 School District Receivership charged with specified duties, continues the school district receivership statutes until the sine die adjournment of the 48<sup>th</sup> Legislature, Second Regular Session and requires a school district to adjust the Transportation Revenue Control Limit (TRCL) to equal the Transportation Support Level (TSL) if the TSL exceeds the TRCL in any budget year.

### **HB 2332 – Chapter 274 – \*school governing board; admission; nonresidents**

Retroactive to July 1, 2007, allows a school district governing board to admit children who are residents of the United States, but who are nonresidents of this state, without the payment of tuition when certain conditions are met. Additionally, a governing board in this state must either pay tuition or charge tuition to another state if the number of Arizona resident pupils from this state exceeds the number of nonresident pupils that are admitted to this state, or vice versa, respectively.

- Allows a school district governing board to admit children without payment of tuition if:
  - The children are residents of the United States, are members of a federally recognized Indian tribe and reside on Indian lands under the jurisdiction of the their tribe.
  - The area in the boundaries of the reservation where the child resides is located both in Arizona and another state in the United States.
  - The governing board enters into an intergovernmental agreement (IGA) with the governing board of the school district in another state where the nonresident child resides. The IGA must specify the number of nonresident children admitted into Arizona and the number of Arizona resident children admitted by the governing board of another state.

### **HB 2393 – Chapter 126 – special education; surrogate parents**

Transfers authority for the appointment of surrogate parents as it relates to the representation of a child in decisions regarding special education from the court of competent jurisdiction to the Arizona Department of Education (ADE). The bill replaces a court of competent jurisdiction with the ADE as the entity required to appoint a surrogate parent for a child with a disability if the surrogate parent meets specified criteria, permits a surrogate parent, for children who are a ward of the state, to be appointed by the judge who oversees the child's case if the surrogate parent meets specified criteria and allows a surrogate parent be appointed for a child with a disability for special education services if the child meets the criteria of an unaccompanied youth as specified in federal law.

### **HB 2468 – Chapter 89 – schools; flag size**

Allows a flag which does not meet current specifications to remain in place as long as it is visible and easily recognized until it needs to be replaced if it is not made of paper. The replacement flag must be at least two feet by three feet.

### **HB 2612 – Chapter 238 [E] – \*school districts; overexpenditures; receivership**

An emergency measure that allows a school district that overexpended its budgets in FYs 2004-05 and 2005-06, plus any overexpenditure in FY 2006-07, to correct these overexpenditures over a five year period if certain conditions are met, plus accrued interest paid at a rate as determined by the Superintendent of Public Instruction. Additionally, any school district that utilizes these provisions must be immediately placed into receivership by the State Board of Education. Finally, the Arizona Department of Education must submit an annual report by December 15 listing each school district that overexpended its budget in the prior fiscal year and the amount of the overexpenditure by funding source to the Governor and the Legislature.

**HB 2714 – Chapter 151 – teacher certification; proficiency exam reciprocity**

Makes changes to the requirements for passage of the proficiency examination for teacher certification. A person who passed a proficiency examination adopted by a state board of education or equivalent agency in another state, 7 or more years before qualifying to teach in Arizona, must pass the proficiency examination developed and administered by the SBE except for individuals who have been employed as teachers for at least 5 of the last 7 years in another state. Additionally, an individual who is not required to pass the Arizona proficiency examination must be granted reciprocity for those examinations required in this state that pertain to the grade levels and content areas that the individual is certified to teach in another state.

**SB 1018 – Chapter 93 – school districts; tuition agreements**

Allows two Arizona school districts to enter into an agreement for the payment of tuition under specified conditions for a nonresident student. The voluntary agreement must set forth the method for calculating the tuition and tuition payment due dates, provides that tuition agreements and any renewal agreements must not be longer than 5 consecutive years and states the agreement must specify that a parent or legal guardian of a student affected by these tuition agreements may choose not to send their pupil to a school district or school that is party to the agreement.

**SB 1046 – Chapter 190 – \*school governing board; candidate statement**

Requires a candidate for a school district governing board to submit a typewritten or electronic statement not to exceed 500 words and a recent photograph to the designated person within the county school superintendent's office after the county school superintendent's office has made notification of the candidate's certification, but not later than 21 days before general election ballots may be mailed. The county school superintendent must publish on their website the statement verbatim unless specified by the candidate that typographical errors may be edited. Additionally, county school superintendents must provide on their website a list of the school districts and their respective candidates listed alphabetically by school district and candidate with an attached link to the photograph and statement of each candidate.

**SB 1067 – Chapter 133 – unorganized territories; joining school districts**

Requires a school district to revise its boundaries to incorporate an unorganized territory without an election if the county school superintendent identifies only one adjacent school district that meets current statutory requirements, and prohibits unorganized territories from the option of forming a new unified school district under specified statutes.

**SB 1122 – Chapter 191 – \*unorganized territory; school district annexation**

Allows a unified school district governing board to authorize a boundary change to include a noncontiguous unorganized territory if a petition is presented to the school district governing board by a majority of qualified electors of the unorganized territory that is seeking to be included in the unified school district, the unorganized territory contains less than 150 students at the time of annexation and the unorganized territory is adjacent to an unorganized territory that is part of an Indian reservation with a population of less than 2,000 persons but is not adjacent to the school district. The county school superintendent, if no petition opposing the annexation from a majority of the electors in the school district is received within 15 days of receiving the petition for annexation, must conform the boundaries of the new unified school district and notify the county board of supervisors and the county assessor of the boundary change.

**SB 1164 – Chapter 283 [E] – \*school redistricting commission; unification**

An emergency measure that requires school district governing boards to prescribe and enforce policies and procedures regarding changing or adopting attendance boundaries that include specified components, requires the county school superintendent to dissolve any school district that does not offer a full-time instructional program that transports at least 350 pupils to an adjacent school district or districts annually and requires the school district to annex the geographic boundaries to the adjacent school district. Requires the School District Redistricting Commission (Commission) to consider combining a school district that transports all of their students to another school district with a new or existing school district, extends the timeframe that governing boards have to review and submit comments on the preliminary statewide unification plan of the Commission, requires the Commission to include the available student capacity at existing school facilities in the proposed school district unification plan, requires the Commission to consider a Superintendent contract buy-out when considering a unification plan and provides that when a school district is considering a unification plan that a school district may include compliance with the requirements of the federal Voting Rights Act of 1965 and may consider the use of a ward system for the election of governing board members.

- Prohibits seventh and eighth grade students enrolled in vocational education courses from being funded in whole or in part with monies from a joint technological education district.
- Exempts the Arizona Criminal Justice Commission's Arizona Chemical Abuse and Related Gang Activity Survey from the requirement for parental or legal guardian written consent for participation, if the Survey does not include questions related to depression or religiosity.
- Allows an eligible common school district that unified to continue calculating its budget equalization assistance until a high school is constructed for the newly formed unified school district, or until June 30, 2011, whichever occurs first. A newly formed unified school district that phases in instruction in grades 9-12 may include their resident grade 9-12 pupils and continue calculating its budget and equalization assistance for a maximum of 3 years after the first year of operation of the new high school.

**SB 1522 – Chapter 200 – schools; test scores; academic gains**

Allows the Arizona Department of Education (ADE) and the Superintendent of Public Instruction (Superintendent) to calculate academic gains statewide, for each school district and each school on the Arizona Instrument to Measure Standards test (AIMS) for each statutory classification for students in grades K-12 by comparing average scale scores of students for the current and previous academic year, and allows the ADE and the Superintendent to develop a classification label for school districts and charter school operators based on measures of academic progress, pupil assessment data, attendance rates and graduation rates of pupils who are educated in that charter school operator's charter schools or in that school district's schools and the percentage of the parents of pupils enrolled in that charter school operator's charter schools or in that school district's schools that categorizes the quality of their child's education as excellent on a parental rating of school quality.